

REMARKS

After entry of the foregoing amendment, claims 5, 11, 14, 18, 21 and 23-60 are pending in the application. Claims 48-60 are newly added.

The continued allowance of claims 14, 23, 34-36 and 41-43 is acknowledged.

Objected-to claim 25 has been rewritten in independent form, so should now be in condition for allowance.

The other claims have been rejected based on a new, broader interpretation thereof, over Durst (20010011276).

These rejections are respectfully traversed.

Durst is understood to teach a scanner that reads barcodes, and links to on-line resources based on the barcode data.

The earlier-pending claims were drafted to particularly distinguish methods such as Durst, where the data is represented by an overt mark (e.g., a barcode).

For example, claim 5 recites that the poster presents “visible information” but further requires that the claimed linking be based on data that is “*in addition* to said visible information.”

Durst’s marking is “visible information.” It is *conspicuously* visible to the viewer (*see, e.g.*, bar code symbol 12 in Fig. 1B). The arrangement of claim 5, in contrast, requires linking based on data that is not apparent to a viewer of the poster.

Claim 5 has been amended to further emphasize this distinction. Similar amendments have been made to other claims.

New claim 48 expressly distinguishes barcode-based art, such as Durst, by language “...*suitable for situations where aesthetic considerations make use of bar codes undesirable.*”

Support for this language is found in the specification, and in documents incorporated-by-reference in the present specification. Exemplary is commonly-owned US Patent 5,862,260, which notes:

*The field of merchandise marking is generally well served by familiar bar codes and universal product codes. However, in certain applications, such bar codes are undesirable (e.g. for aesthetic considerations, or where security is a concern). In such applications, applicant's technology may be used to mark merchandise, either through in innocuous carrier (e.g. a photograph associated with the product), or by encoding the microtopology of the merchandise's surface, or a label thereon.*

The disclosure of the '260 patent is expressly incorporated by reference in the present application (c.f., page 10, line 4, and page 56, lines 11-13).

The same disclosure is found in published document WO97/43736, which was incorporated-by-reference in priority application 60/134,782 (appended as Appendix A to the present spec; see page 1, line 12, page 97, lines 3-5).

The foregoing is believed sufficient to establish that all claims should be in condition for allowance. Accordingly, applicant does not belabor this response with additional remarks on the rejections, the art, or the claims – all of which are reserved for possible later presentation.

Favorable consideration and passage to issuance are solicited.

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Respectfully submitted,

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